

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/4/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:
	:
- against -	:
	:
RICARDO TIBBY,	:
	:
Defendant.	:
-----X	

**VICTOR MARRERO, United States District Judge.**

21 Crim. 728 (VM)

**SUMMARY ORDER**

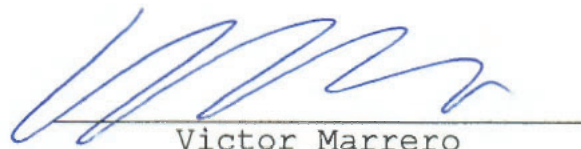
On December 2, 2021, defendant Ricardo Tibby ("Tibby") was arrested on two charges of Hobbs Act robbery in violation of 18 U.S.C. Section 1951, two charges of attempted Hobbs Act robbery, and one count of using, possessing, and carrying a firearm in violation of 18 U.S.C. Section 924(c). Later that day, he appeared before Magistrate Judge Freeman, who ordered he remain in detention. On January 31, 2022, this Court received a letter motion from Tibby appealing Magistrate Judge Freeman's detention order and requesting bail. (See "Motion," Dkt. 15.) The Motion argued that Tibby was neither a flight risk nor a danger to the community, but even if the Court concluded he was either, bail conditions existed that could mitigate any potential risk. The Court also received a letter from the Government, dated February 3, 2022, opposing the Motion, and a bail report from Pretrial Services dated December 2, 2021. The Court held a hearing on the Motion on February 4, 2022.

Upon de novo review of the submissions, the materials on

the record, and the hearing on February 4, 2022, the Court concluded that the Government produced sufficient clear and convincing evidence that Tibby posed a danger to the community and the defendant failed to persuade the Court that the presumption of remand should not apply. The Motion was denied.

**SO ORDERED.**

Dated: New York, New York  
February 4, 2022

  
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Victor Marrero  
U.S.D.J.